

Application Serial No.: 10/673,986
Amendment and Response to April 20, 2005 Non-Final Office Action

REMARKS

Claims 1-3, 5-11, 17, and 18 are in the application. Claims 1-3, 8-10, 17, and 18 are currently amended; claims 4 and 12-16 are canceled; and claims 5-7, and 11 remain unchanged from the original versions thereof. Claims 1, 17, and 18 are the independent claims herein. Reconsidered and further examination are respectfully requested.

No new matter is added as a result of the amendments submitted herewith.

Claim Rejections – 35 USC § 102(e)

Claims 1-18 were rejected as being anticipated by Haims et al., U. S. Pub. No. 2003/015820 A1, (hereinafter, Haims). This rejection is respectfully traversed.

In view of the cancellation of claims 4 and 16, the rejection thereof is moot.

Applicant's claimed method, article of manufacture, and system relate to determining an availability of a media capability associated with a plurality of communication devices and providing, via a user interface, an aggregated view of data indicative of the availability information for each of the at least one media capability for each of the plurality of communication devices. (See currently amended claims 1, 17, and 18) Support for the current amendments may be found in the specification as filed and published at paragraphs [0018] and originally filed claims 4 and 12-15.) Applicant notes, as disclosed in the specification, that a user may be associated with a plurality of communication devices that communicate using more than one type of media capability (e.g., voice telephony and IM). By providing, via a user interface, the claimed aggregated view of data indicative of the availability information for each of the at least one media capability for each of the plurality of devices, a user provided such information may make, for example, a decision about, how and/or when to contact the identity associated with plurality of communication devices.

In contrast to Applicant's claims, Haims is directed to a system, method and apparatus to initiate a communication session. In particular, Haims discloses a "host" of an online communication session inviting participants to the online communication

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session. If the participant is available, then an invitation is transmitted to the participant invite them to join the communication session. (See Haims, paragraph [0011] and claim 1) That is, the availability information is used to create the communication session. (See Haims, paragraph [0067]) Haims discloses that if the participant is available at a location that supports "the intended type of communication, the session may be established", otherwise the session will not be established. (See Haims, paragraph [0100])

However, Haims does not provide, at least, a disclosure or suggestion of a method, system, and article of manufacture regarding the claimed providing, via a user interface, data indicative of the availability information for each of the at least one media capability for each of the plurality of communication devices. (See independent claims 1, 17, and 18) Haims discloses initiating or not initiating a communication session based on an availability of the intended type of communication intended for use by the "host". Haims does not appear to provide availability information via a user interface for other purposes. Therefore, Applicant respectfully submits that claims 1, 17, and 18 are patentable over Haims under 35 USC 102(e).

Further, it appears that Haims would not even have a need (i.e, no suggestion, no support) for providing the claimed aggregated view. That is, since Haims initiates the communication session using the intended communication type, the availability information is no longer needed or relevant regarding the disclosed methods and systems of Haims.

Accordingly, Applicant respectfully submits that claims 1, 17 and 18 are not anticipated by Haims. Furthermore, Applicant respectfully submits that dependent claims 2-15 are also patentable over Haims for at least the reasons provided regarding claim 1. Therefore, Applicant respectfully requests the reconsideration and withdrawal of the rejection of claims 1-3, 5-11, 17, and 18 under 35 USC 102(e), as well as the allowance of same.

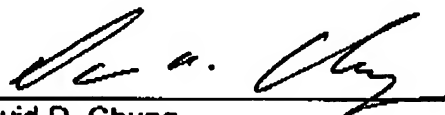
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CONCLUSION

Accordingly, Applicant respectfully requests allowance of the pending claims. If any issues remain, or if the Examiner has any further suggestions for expediting allowance of the present application, the Examiner is kindly invited to contact the undersigned via telephone at (650) 943-7405.

Respectfully submitted,

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Date



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